

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, JANUARY 18, 2016

**Present:**

Selectboard Members: Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood, Howard Romero  
Others: Duncan Hastings (Administrator), Rosemary Audibert (Clerk), David Butler, Lea Kilvadyova, Arjay West

**Note: All votes taken are unanimous unless otherwise noted. 4:55-5:19**

**1. Call to Order**

Eric called the meeting to order at 7:03.

**2. Additions, Changes to Agenda**

With board approval, Duncan added some items to the agenda: article wording for form based code, estimate from Ruggiano on gravel pit closure plan, memo from John Mandeville on cost of lots in Jewett parcel, request for extension of filing deadline for Form 411, and bylaw changes related to Transportation Advisory Committee.

**3. Review and Approve Minutes of Meetings Past**

**Howard moved to approve the minutes of December 21, 2015 and the minutes of the joint trustee-selectboard meeting on January 6, 2016, Kyle seconded, and the motion was passed.**

**4. Treasurer's Report / Review and Approve Bills, Warrants, Licenses / Any Action Items**

Rosemary said expenditures are 56% of budget and revenues are at 87%.

Rosemary and Duncan have discussed a change for next year in the way highway department benefits are budgeted. Duncan explained that the highway department budget does not include social security, retirement, health insurance, unemployment, etc. for highway department employees. He has to send VTrans a highway budget showing that we are spending the minimum required to get state aid, and when he prepares that budget he has to include the employee benefit expenditures that are in the general budget. He thinks it would better reflect highway department expenses to include those items in the highway department budget. He has added those line items to the highway department budget under development. By state statute the highway department budget is supposed to be separate from the general budget.

A tax sale is possible in March. We received a check from Angela Ross today for about \$5800 in delinquent taxes she had collected. The total amount delinquent now is \$65K.

To date 58.85% of current taxes have been collected.

**5. Road Commissioner/ Road Foreman Report and Action Items**

Duncan said Brian asked if he could miss the meeting as he will likely be out later tonight or early in the morning dealing with the impending snow. There isn't much to report regarding roads. (Lea and David Butler arrived at 7:12.)

**6. Planning Commission Report**

Lea said David is comfortable putting an article in the warning regarding the form based code effort. She came up with phrasing for the article, which will ask the voters to hear the

Planning Commission's report on progress of the form based code effort. David said there will be no action and limited open discussion.

Lea said at the last Planning Commission meeting the common town and village plan was discussed. The Commission discussed the economic development section of the plan. There is one more major section to address – housing and demographics. That will be discussed next month. In March and April Lea would like to gather public input. She would like the Planning Commission to close the document in May and then hand it over to the boards. The current plan expires in August 2016.

The Planning Commission also discussed Lea's work plan, which she will discuss later with the selectboard.

They also reviewed feedback from the December public meeting on form based code. It appears there are only a couple of outstanding issues the Planning Commission needs to decide about before holding a public hearing. There is still debate about the appropriate percentage of glazing and the first floor height for the village storefront district.

Eric said the trustees and selectboard would like to schedule a joint meeting with the Planning Commission in February. He will talk to Gordy and David about scheduling.

David said he thinks we have a large uphill battle to pass form based code. Every anti person who has talked to the Planning Commission seems to have left with good feelings about it, but it is hard to get people in for conversation. He thought about having a table at town meeting where Planning Commission members could be sitting with the maps and the code. Board members agreed that would be a good idea.

David will write a letter for the town report and Lea will edit it. *(David left at 7:23.)*

#### **7. Administrator's Report and Action Items**

Duncan read the suggested wording for the article on form based code: *Will the voters hear a report from the Planning Commission regarding the status of Form Based Code process?* The board agreed that wording would be fine and the article should go right before Other Business.

Duncan got an estimate of \$13-15K from Ruggiano for the gravel pit closure plan. He has the name of another firm he wants to contact for an estimate. If we had Lidar survey data, which we don't, that would save us money. It may be worth seeing when that will be available. Survey costs would be about \$3-4K. Howard asked if that is satellite-developed survey data. Duncan said yes. He said he will talk about it in the context of budget development.

We need to request an extension to the filing deadline for Form 411, which is basically the Grand List. We need an extension because the state changed their software program and they have had difficulty with implementation resulting in errors related to the current use program. Normally we would submit the form in December but we should request an extension to February 15. Eric said he heard this is requiring Rosemary to send out modified property tax bills due to changes in property valuation. He asked how many revised property bills she has

had to send out this year. Rosemary said probably over 50. **Doug moved to request an extension of the filing deadline for Form 411 (2015 Grand List) to February 14, Howard seconded, and the motion was passed.**

Duncan said LCPC is looking to amend their bylaws with regard to the Transportation Advisory Committee. They want to reduce the number of voting members that constitutes a quorum for their meetings. Right now their bylaws say the chair of the committee is to notify town selectboards if their representatives miss 3 consecutive meetings. That is proposed to be changed to let LCPC staff do the notification. They also would like to encourage members to have an alternate. If both the alternate and the primary show up at the meeting only one can vote. Their bylaws require notice to selectboards in each town prior to making changes to the bylaws. They are notifying us in case we have any concerns or questions. Duncan thinks the changes are fairly straightforward and reasonable. We do not currently have an alternate designated. We probably should.

Eric suggested it would make sense for Brian to be the alternate. Duncan said he could be or Lea could be. Duncan would rather see Brian participate more actively in the county road foreman's round table they are trying to put together. The TAC doesn't really deal with a lot of local transportation issues.

The board agreed the proposed changes to the bylaws sound fine.

**Howard moved to appoint Lea as alternate to the LCPC Transportation Advisory Committee, Kyle seconded and the motion was passed.**

Duncan amended the Highway Worker job description by changing "Municipal Manager" to "Town Administrator." **Howard moved to approve the amended Highway Worker job description, Kyle seconded and the motion was passed.**

Better Backroads Grant applications are not due until April but Brian and Duncan have talked about preparing applications.

The board needs to sign the Certificate of Highway Mileage. As far as Duncan knows, there are no changes since last year. **Doug moved to approve the Certificate of Highway Mileage, Howard seconded, and the motion was passed.**

The LCSD Budget/Contract Review Committee is tentatively planning a meeting for February 3 at 4:30 in Hyde Park. Nat has agreed to be Johnson's representative on this committee.

Sandy and Duncan are supposed to sit down and put the village's proposed Outlook policy in a format that would be appropriate to be signed by both boards. The trustees decided they would approve their job posting policy and if the selectboard wants to approve it as well it could be turned into a format that both boards can sign.

The membership fee for the Vermont Town and City Management Association is included in tonight's bills for approval.

The November monthly report from LCSD was not sent out by email because Susan was on vacation. Duncan has a copy. He noted that again Johnson had a higher percentage of warnings vs. tickets compared to the other towns. Roger Marcoux has said he would look into it. Kyle asked if it is appropriate for board members to reach out to Roger. Howard said yes. Doug said he would like to hear why there is a disparity. He assumes there is a rational explanation. Howard said Roger said LCSD policy is to leave a great deal of discretion in the hands of officers. Eric said what is concerning is that the ratio is different in Johnson than in other towns. Kyle said we asked Roger why that was and he didn't know. Duncan said that can be a subject of discussion at the Budget/Contract Review Committee meeting.

Lea distributed a memo with an industrial park update and reviewed the information in it. We have an updated cost from Ruggiano for development of the park. The cost estimate increased from a little below \$1 million in 2010 to \$1,450,589. Lea divided that amount by 15.5 (the number of acres available for development.) The resulting price per acre would be \$93,600. John Mandeville provided information about industrial lot prices in several areas around us. Her memo showed the prices. Compared to those, our price per acre does not seem competitive.

Eric asked what drove the 50% increase in the estimate. Inflation hasn't increased that much. Lea said that is a good question. She hasn't looked at the cost estimate breakdown in detail. The same firm did both estimates. Duncan said his recollection is that Ruggiano used their most recent projects' actual costs to come up with their second figure. One thing John Mandeville recommended that Duncan thinks is worthwhile is to take a closer look at how the cost estimate was arrived at and see how much it could be reduced by only bringing utilities to the boundary of the park and making it the responsibility of developers to bring them onto each lot. Duncan also thought of looking closely at the road. Engineers typically design a 32 foot wide road for an industrial park but that may not be needed for this relatively small industrial park. Another thing to look at is that Lea used 15 acres as the amount of developable land, but the entire parcel is closer to 18 acres. Lea said she tallied up all the areas that are not developable, for instance those needed for storm water improvement. Eric asked if other communities that have industrial parks bring utilities right into the lot. Lea said that is a good question. We can see if ours is a higher standard than others are using. If so, there might be opportunities to equalize. Duncan said Hyde Park doesn't have sewer. They only have municipal water. So they wouldn't have the ability to take on a company that had large wastewater needs. Lea said those lots aren't selling either. Lea said overall John Mandeville said our location has real prospects.

Howard asked, if we decide an industrial park is not a marketable project, then do we tell the seller we are not interested? Duncan said we are close to that point. Lea said our option agreement expires in October 2018. We may decide to let it go at that point. Our next step is to look at the cost again with Ruggiano. If it appears this could potentially be competitive, the conversation she and Duncan had with David White of White & Burke Real Estate Investment Advisors becomes relevant. David White said businesses will not wait longer

than 3-6 months before purchasing a lot in a park. The way to assure we can interest a business is to have the land purchased and the park permitted. We could do just that much as a first stage. Then if an interested business comes along we may be able to access grants, though grants are slow.

Duncan said David White looked at the Yellow Wood market study and Ruggiano's cost estimates and conceptual plans. He said we need to have something that is ready to go so a business could pull the trigger in a 3-6 month period. In an area like Vermont, identifying desirable industry types isn't a good indicator of business demand. It comes down to having some individual business that is actually willing to move in. (*Arjay arrived at 7:59.*) He thinks the potential Yellow Wood cites is accurate but it is not as simple as saying that if we build it, a certain industry sector will fill it in so many years. We have to market it and find someone willing to move in and it might not be a business that is in any of the sectors the market study targets. There is a bit of luck involved.

Doug asked how we would buy the land. Duncan said we would have to go to the voters. Lea has researched a loan option for purchase. But if the price per acre is not competitive we won't go that far. Doug asked what the purchase price would be. Lea said \$256K. Doug asked how that compares to the Holcomb House. Rosemary said the cost of the Holcomb House, including the work to be done, was close to \$300K. Duncan said he thinks the asking price for the Jewett property is still above where it could be. Unless the purchase price and/or cost of development can be shaved somewhat the price per acre will probably not be competitive.

Lea and Duncan will try to set up a meeting with John Mandeville.

Nat asked the total acreage of the Jewett property. Lea said it could be as much as 20 acres but it is not all usable.

Lea said she has been doing some research related to a potential solar project. Knowing there is interest in covering town and village municipal electric needs, she looked at our annual kWh usage. We would need a system size of 350 to 400 kW. Laraway's system, for comparison, is about 50 kW. We would need 3 ½ to 4 acres of land if we were not using rooftops. Of the annual village and town usage, only about 10% is charged to town accounts.

Lea spoke with the trustees last week. They are interested in pursuing a solar project. They are interested in using the available capacity for net metering projects. There is a 15% cap and current capacity within the cap is about 350 kW, so almost all of our municipal usage could be accommodated within the cap. The trustees asked Lea to look further into where we could put a solar array. Lea listed in a memo some potential lands to consider. Duba Field is not on her list but possibly could be. Doug said he would suggest checking to see if there are deed restrictions on use of Duba Field. Duncan said he thinks there are. The intent of the deed is that the property be used for athletic fields.

Lea said she would prefer one or two bigger projects rather than smaller ones like rooftop arrays. Her preference would be to see if we have land for larger projects and if not, then scale down.

Doug asked how the benefits shake out between town and village.

Duncan said it seems to make sense to use up our capacity for net metering to reduce taxpayers' cost for electricity to our buildings. The most economical way to do that would be with two projects. The maximum project size is 150 kW, so we would need two separate projects to provide the amount needed for town and village. The benefit is the difference between 19 cents per kWh and the residential rate. The savings would accrue to the group that was part of net metering, which would reduce the total electric cost of town and village buildings. The savings would be passed on to taxpayers. Our project has to be within the VOJ electric service area.

Doug asked if an opportunity to participate will be offered to residents. Lea and Duncan said no.

Lea asked if the selectboard is interested in exploring further what lands are available. Several board members said yes. Nat said he is having his doubts. He is not sure where the benefit is. There is a slight savings on the electric rate for us over time. There will be an expenditure up front.

Duncan said no; a private developer would give us a purchased power agreement. The benefit over time would accrue considerably. They pay us 19 cents per kWh and we pay 16.2 cents per kWh for our electric bill. We would be insulated from rate increases over a 20-year period in addition to saving money per kWh.

Lea said she thinks there are benefits to pursuing a project together with the village but if that was not possible and there were separate projects under consideration, what the town would need to cover its electric usage would be somewhat smaller than what Laraway has. There are many assets that are jointly owned by the town and village. Duncan said the only town property not jointly owned is Holcomb House.

Nat asked what the town spends on electricity. Lea said she thinks it is around \$4K. Duncan agreed. Duncan said if the water and sewer departments can keep their rates a little lower it is a community benefit. It makes us a little more competitive, for instance with the industrial park. Eric, Howard and Kyle said they would give the green light to further exploration. Nat said he would give a yellow light. Doug said he thinks it is worth exploring but he is not as optimistic about it as other board members. As he mentioned before, he thought we ought to have an energy committee.

Lea talked to both the Planning Commission and the village trustees about her proposed work plan. She updated it slightly since she emailed it out several weeks ago. She reviewed the list of priorities.

She envisions working with the Planning Commission to complete work on the municipal plan and assist with public outreach efforts for form based code. The Planning Commission did not identify any new projects for her.

For the trustees, completing the School St. project is a priority. A new priority is to apply for a grant from VTrans to work on the decrepit sidewalks on both sides of the street on lower Clay Hill and at the same time to look at redesigning the Pearl St./School St. intersection and maybe the drainage system.

The possible solar project was discussed with the trustees. Duncan said he understands that they feel the new village manager might take an active role in that. He feels that on the town side it makes sense to have Lea more involved.

There are a number of existing grants that need to be administered. Lea plans to assist with efforts to develop a light industrial park.

She listed some items related to the Rail Trail – developing maps for brochures and kiosk panels and promoting the Rail Trail. Kiosk panels would cost about \$1500. We have a cost estimate of \$5K to print 775 brochures. LCPC might be able to help fund that. Lea would like to ask the selectboard to considering including that in the budget. Brochures would be available in the municipal building, at local businesses, and maybe on the interstates. Duncan asked if other towns would also be buying brochures. Is the \$5K just for Johnson? Lea said that is a good question. The \$5K figure is the maximum we might need to pay. There hasn't been discussion about how many would be bought per region.

One item on her list came from Doug's beautification committee. The committee is thinking we could get a grant and regrant money to individuals who are interested in beautification such as better signage or painting their building. Lea would develop criteria for a grant program and look for funding to implement it.

Other items on the list are organizing a community showcase/thank you reception for Johnson's volunteer committees and preparing for the launch of the town's revolving loan fund program in January 2017.

The trustees rejected an electric vehicle charging station project. She told them she would like to see if the selectboard is interested. There is a grant program available for next year for an electric vehicle charging station. Would the selectboard be willing to hear from her about it and consider applying? The charging station is required to be on municipal property within the designated district. The trustees were considering putting it in the municipal lot. The opportunity to apply won't come along until late summer or fall. We can revisit it then.

Duncan suggested perhaps Lea could spearhead an erosion control project by a group such as Boy Scouts. There will also be some things we need to do as follow-up for the Beard recreation parcel and maybe some for Journey's End.

Doug said Duncan has been working on an ordinance related to blighted buildings. If we get one, maybe he could coordinate with Lea on it. It is definitely related to economic development. Nat said he thinks of housing issues in general as related to economic development. It seems Johnson has a lack of standard single family housing.

**8. Fire Department Town Contribution**

Eric told Arjay the board had no specific issue with the proposed fire department budget. They just wanted him to come in and explain it.

Arjay said the fire department budget has an overall increase of 1.2%. The biggest contributors to that are the two capital savings plans – the capital truck plan and the small tools and equipment capital plan. (*Lea left at 8:35.*) Those represent just under a 1% increase. There was a slight increase in labor and insurance premiums. There were some decreases in heating and fuel expenses and a slight decrease in building supplies. Each of the three contract towns are being asked for a 1.8% increase.

Nat asked if the towns are charged by population. Arjay said around 10 or 15 years ago Waterville and Belvidere were on a billable call basis. They paid different amounts in different years and in some years the fire department had a cash flow problem. They looked at call volumes and population and agreed with Waterville and Belvidere on a contract price. Since then they have asked for equal percentage increases for each town.

Duncan said a couple of years ago we looked at the contributions from Waterville, Belvidere, the Town of Johnson and the Village of Johnson and found that the contribution percentages were close to the call volume and population percentages.

Arjay said contract service is a very important part of the fire department's income. Being too aggressive and losing that would put the program far behind. His hope is to continue with the capital plans. In upcoming years he foresees just inflationary adjustments. There are no big projects coming up other than truck replacement.

Eric asked why all the towns are seeing 1.8% increases when the budget is up 1.2%. Did the village level fund? Arjay said yes. Eric asked why. Arjay said that is the direction he was given by the trustee board.

Doug asked if the fire department is a healthy organization. Arjay said they have a great team. There is a lot of consistent attendance. They have sufficient numbers to respond to calls. The mood is great. The struggle is to find younger recruits. They currently have 2 vacancies. They have a 5 member junior firefighters program with just 3 people in it now. There is a more than 50% success rate for the junior fire firefighters moving on.

Eric asked about call volume. Arjay said they had 120 calls last year, down from 136 the year before. The duration of the calls was longer so payroll was not down as much as call volume. Payroll was down 9% and call volume was down 19%.

Eric asked about types of calls. Arjay said last year was one of the highest years for structure fires. There were 17. The most common kind of call is a vehicle accident. Those are

continuing to increase. Last year the number of carbon monoxide calls increased. He described what is involved in a carbon monoxide call.

The board thanked Arjay for coming in and for the fire department's service.

**Howard moved to approve the 2016 VOJ Fire Service Contract and to authorize Eric to sign it, Nat seconded and the motion was passed.**

Duncan said the approximate figures Ruggiano gave us for engineering services to get to the permit-ready stage for the Jewett parcel were \$12,500 for Ruggiano for permits and \$8,500 for survey/subdivision work. The cost is not in the budget now.

Duncan has not been able to find any record of easements for the existing culvert on Codding Hollow Road. He thinks we will have to secure easements or maintenance agreements from the landowners now. Lea is going to take the lead on this. Eric asked if it will delay the project. Duncan said it depends on the receptivity of the landowners. It looks like there are 4 different property owners involved.

We have a Health Inspection Report for 58 Railroad St.

Brian has drawn up a plan for the library crosswalk. We have not developed a cost estimate or figured out who should bear the cost. The trustees seem to think the town should pay for it.

Duncan has had an initial response from VTrans District 8 that our request to amend the College Hill Structures Grant will be viewed favorably. We have not heard back from Desroches about not accepting their change order requests and offering to pay a lower amount.

Eric asked, if the town is going to absorb the cost for the library crosswalk, why don't we have Lea apply for a grant for a sidewalk on the other side of Railroad Street? Duncan said that would need to be discussed with the trustees. They have to maintain sidewalks. It would be a relatively simple project because most of the design work was done as part of the Main St. project. He agrees it would be good to put a sidewalk there. That could be a discussion for a joint meeting.

Duncan has not had time to follow up on the Travis Hill water line issue.

We need to word an article to eliminate the office of lister. Duncan's recommendation would be to appoint Rose as assessor in an interim capacity to get through the 2016 Grand List. Eric asked if it is correct that Rose cannot sign the Grand List individually as a lister but she can as an assessor. Duncan said that is right.

The town received an application for employment.

Verizon has applied to deploy a cell antenna at JSC.

**9. *Selectboard Issues/Concerns***

Kyle asked about the ice rink. Duncan said he talked with Arjay and told him the fire department would need to coordinate carefully with Brian Krause. Brian thought there might be another way to access the lot. Arjay is going to work with Brian.

Doug said some people still don't have broadband here in Johnson. It is an economic development issue.

**10. *Adjourn***

**It was moved and seconded to adjourn at 9:03 and the motion was passed.**

*Minutes submitted by Donna Griffiths*

UNAPPROVED